

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

DWAIN EDWARD THOMAS,)	
)	
Plaintiff,)	
)	
v.)	CIV-20-944-D
)	
KEVIN STITT, et al,)	
)	
Defendants.)	

ORDER

A Motion to Dismiss has been filed by Defendants Kevin Stitt, Steven Bickley, Oklahoma Pardon and Parole Board, T. Hastings Siegfried, Oklahoma Board of Corrections, Scott Crow, and Oklahoma Department of Corrections (“ODOC”). (Doc. #37). Accordingly, Plaintiff is given notice of his opportunity to respond. Failure to respond may result in confession of this matter pursuant to the Local Civil Rules. In addition, to the extent that the Motion to Dismiss relies upon and is supported by affidavits and/or other documentary evidence, Plaintiff should be aware of the provisions of Rule 56, Federal Rules of Civil Procedure, and the Local Civil Rules. Reed v. Dunham, 893 F.2d 285, 287 n.2 (10th Cir. 1990).

When a dispositive motion is supported by affidavits and/or other documentary evidence, the motion may be converted to one for summary judgment under Fed.R.Civ.P. 12. In this instance, the party opposing the motion must respond with affidavits and/or documentary evidence as is appropriate under Fed.R.Civ.P. 56. Pursuant to the Local Civil

Rules, each brief in opposition to a motion for summary judgment must begin with a concise statement of material facts to which the party asserts genuine issues of fact exists. Each fact in dispute shall be numbered, shall refer to the specific portions of the record supporting the disputed fact, and, if applicable, shall state the number of the movant's facts that are disputed. If the party opposing the motion does not comply with Rule 56, the court may declare that the material facts set forth in the movant's statement of material facts are deemed admitted and established as true.

Plaintiff shall have until June 6th, 2022, to respond to the motion. Thereafter, the motion will be taken under advisement by the Court and an order entered thereon without further notice.

IT IS SO ORDERED this 17th day of May, 2022.


GARY M. PURCELL
UNITED STATES MAGISTRATE JUDGE